

Senate Engrossed

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-ninth Legislature  
Second Regular Session  
2010

CHAPTER 237

# **SENATE BILL 1081**

AN ACT

AMENDING TITLE 12, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-131; RELATING TO THE COMMISSION ON TRIAL COURT APPOINTMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 1, article 2, Arizona Revised Statutes,  
3 is amended by adding section 12-131, to read:

4 12-131. Commission on trial court appointments; notification;  
5 appointment of nonattorney member; time limits

6 A. AT LEAST NINETY DAYS BEFORE A TERM OF A NONATTORNEY MEMBER ON A  
7 COMMISSION ON TRIAL COURT APPOINTMENTS EXPIRES THE COMMISSION SHALL NOTIFY  
8 THE MEMBER OF THE BOARD OF SUPERVISORS FROM THE DISTRICT IN WHICH THE VACANCY  
9 WILL OCCUR OF THAT VACANCY.

10 B. PURSUANT TO ARTICLE VI, SECTION 41, CONSTITUTION OF ARIZONA AT  
11 LEAST NINETY DAYS BEFORE A TERM OF A NONATTORNEY MEMBER ON A COMMISSION ON  
12 TRIAL COURT APPOINTMENTS EXPIRES OR WITHIN TWENTY-ONE DAYS OF A VACANCY  
13 OCCURRING FOR A NONATTORNEY MEMBER ON THE COMMISSION FOR TRIAL COURT  
14 APPOINTMENTS, THE MEMBER OF THE BOARD OF SUPERVISORS FROM THE DISTRICT IN  
15 WHICH THE VACANCY HAS OCCURRED SHALL APPOINT A NOMINATING COMMITTEE OF SEVEN  
16 MEMBERS WHO RESIDE IN THE DISTRICT, NOT MORE THAN FOUR OF WHOM MAY BE FROM  
17 THE SAME POLITICAL PARTY. THE MAKE UP OF THE NOMINATING COMMITTEE SHALL TO  
18 THE EXTENT FEASIBLE, REFLECT THE DIVERSITY OF THE POPULATION OF THE DISTRICT.  
19 NOMINATING COMMITTEE MEMBERS SHALL NOT BE ATTORNEYS AND SHALL NOT HOLD ANY  
20 GOVERNMENTAL OFFICE, ELECTIVE OR APPOINTIVE, FOR PROFIT.

21 C. THE NOMINATING COMMITTEE, WITHIN TWENTY DAYS AFTER BEING APPOINTED,  
22 SHALL PROVIDE PUBLIC NOTICE THAT A VACANCY EXISTS AND SHALL SOLICIT  
23 APPLICATIONS.

24 D. THE NOMINATING COMMITTEE, WITHIN SIXTY DAYS AFTER PROVIDING PUBLIC  
25 NOTICE THAT A VACANCY EXISTS, SHALL REVIEW THE APPLICATIONS AND FORWARD TO  
26 THE GOVERNOR ALL APPLICATIONS ALONG WITH THE COMMITTEE'S RECOMMENDATIONS FOR  
27 APPOINTMENT.

28 E. PURSUANT TO SECTION 38-211, THE GOVERNOR MAY APPOINT A NONATTORNEY  
29 MEMBER TO A COMMISSION ON TRIAL COURT APPOINTMENTS WITHOUT BEING FORWARDED AN  
30 APPLICATION FROM A NOMINATING COMMITTEE IF ANY OF THE FOLLOWING APPLIES:

31 1. A MEMBER OF THE BOARD OF SUPERVISORS DOES NOT APPOINT A NOMINATING  
32 COMMITTEE WITHIN TWENTY-ONE DAYS OF A VACANCY OCCURRING FOR A NONATTORNEY  
33 MEMBER ON THE COMMISSION ON TRIAL COURT APPOINTMENTS.

34 2. THE NOMINATING COMMITTEE DOES NOT PROVIDE PUBLIC NOTICE THAT A  
35 VACANCY EXISTS ON THE COMMISSION ON TRIAL COURT APPOINTMENTS WITHIN TWENTY  
36 DAYS OF APPOINTMENT.

37 3. THE NOMINATING COMMITTEE DOES NOT FORWARD ALL APPLICATIONS TO THE  
38 GOVERNOR WITHIN SIXTY DAYS OF PROVIDING PUBLIC NOTICE THAT A VACANCY EXISTS.

APPROVED BY THE GOVERNOR MAY 6, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 6, 2010.